

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	
)	
v.)	No. 13 CR 506 ERW
)	
RONALD ROBERTS)	
)	
Defendant.)	

RENEWED MOTION TO CONTINUE SENTENCING

Comes now Defendant RONALD ROBERTS, through his attorney, Diane L. Dragan, Assistant Federal Public Defender, and again requests to continue the date for sentencing in this case until January 2015. The court recently denied a request to continue the sentencing in this case. Counsel failed to provide significant specific details when requesting the continuance. Last week, counsel was out of the office for two days for unexpected medical issues with her spouse. Counsel was not able to work on Mr. Robert's sentencing memorandum during that time. Counsel is scheduled to argue a case United States v. Fred Robinson in the 8th Circuit court of appeals on December 11, 2014. This appeal is from a 7 day trial with multiple issues of first impression including GPS issues and jurisdictional issues. Counsel has devoted substantial time to preparation of her arguments and can not continue the argument.

Upon informing Mr. Roberts his sentencing would only be moved from December 12th to December 15th, he provided in excess of 30 individuals that he wanted contacted and informed of the new date. Counsel was also provided a list of potential witnesses from the government yesterday relevant to the contested enhancements. In response to the information, Mr. Roberts has provided several names of rebuttal witnesses that may have relevant testimony to these enhancements at

sentencing. Counsel needs time to secure subpoenas, interview the witnesses and serve these individuals. Counsel does not believe these are individuals that will appear absent a subpoena. Counsel is aware this case has been pending for a lengthy period of time. Counsel was admittedly aware of the existence of some of these potential witnesses but there need at sentencing did not become necessary until learning of the government witnesses. Some of the witness names provided by Mr. Roberts this week were not previously known to counsel and have not yet been contacted.

Mr. Robert's has left counsel multiple phone messages requesting all of his named witnesses be served and present at sentencing. Counsel can not locate, interview and make an informed legal decision on the relevance of their testimony prior to December 15, 2014 and requests a continuance of at least two weeks.

Counsel for the government does not object to this request and only asks that it not interfere with training he has scheduled at the end of January.

Respectfully submitted,

/s/Diane L. Dragan
DIANE L. DRAGAN
Assistant Federal Public Defender
1010 Market Street, Suite 200
St. Louis, Missouri 63101
Telephone: (314) 241-1255
Fax: (314) 421-3177
E-mail: Diane_Dragan@fd.org
ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on December 10, 2014, the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon Richard Finneran, Assistant United States Attorney.

/s/Diane L. Dragan
DIANE L. DRAGAN
Assistant Federal Public Defender